

THE HONORABLE ROBERT S. LASNIK

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

TOMMY BROWN, on his own behalf and
on behalf of other similarly situated
persons,

Plaintiff,

v.

TRANSWORLD SYSTEMS, INC., *et al.*,

Defendants.

No. 2:20-cv-00680-RSL

DECLARATION OF DONALD UDERITZ

1 DONALD UDERITZ, pursuant to 28 U.S.C. § 1746, declares as follows:

2 1. I am CEO of VCG Securities LLC and have held this position since March 11,
3 2008. I am also President of VCG Securities Holdings Inc. and have held this position since
4 March 22, 2010. In my positions, I have access to the business records of NC Owners LLC, NC
5 Residuals Owners Trust, VCG Owners Trust, VCG Securities LLC, and VCG Securities Holdings
6 Inc. I make this declaration based on my personal knowledge, investigation, and review of the
7 business records of the foregoing entities kept in the normal course of their business operations.

8 2. This declaration is being given as written testimony in lieu of any the foregoing
9 entities appearing for remote, video and oral depositions by their authorized representative(s) on
10 the jurisdictional questions pending before the Court.

11 3. NC Owners LLC ("NCO") is a Delaware limited liability company with its
12 principal address located at 407 SE 1st Street, Delray Beach, FL 33483.

13 4. At all times from March 31, 2009 through the date of this declaration, NCO was
14 and is a Beneficial Owner holding Trust Certificates, as defined by the Trust Agreements for each
15 of the respective Delaware Statutory Trusts identified below (among others):

- 16 • National Collegiate Student Loan Trust 2004-1;
- 17 • National Collegiate Student Loan Trust 2004-2;
- 18 • National Collegiate Student Loan Trust 2005-1;
- 19 • National Collegiate Student Loan Trust 2005-2;
- 20 • National Collegiate Student Loan Trust 2005-3;
- 21 • National Collegiate Student Loan Trust 2006-1;
- 22 • National Collegiate Student Loan Trust 2006-2;
- 23 • National Collegiate Student Loan Trust 2007-1; and
- 24 • National Collegiate Student Loan Trust 2007-2.

1 5. NC Residuals Owners Trust is the sole member of NCO. NC Residuals Owners
2 Trust is a Delaware Statutory Trust with its principal place of business at 407 SE 1st Street, Delray
3 Beach, FL 33483.

4 6. VCG Owners Trust is the sole beneficial owner and Managing Agent of
5 NC Residuals Owners Trust. VCG Owners Trust is a Delaware Statutory Trust with its principal
6 place of business at 407 SE 1st Street, Delray Beach, FL 33483.

7 7. VCG Securities LLC is the sole beneficial owner and Managing Agent of VCG
8 Owners Trust. At all times from March 31, 2009 through the date of this declaration,
9 VCG Securities LLC is and was the sole beneficial owner of NCO (through VCG Owners Trust
10 and NC Residuals Owners Trust). VCG Securities LLC is a Florida limited liability company with
11 its principal address located at 407 SE 1st Street, Delray Beach, FL 33483.

12 8. At all times from March 31, 2010 through the date of this declaration,
13 VCG Securities Holdings Inc. is and was the sole owner of VCG Securities LLC.

14 9. VCG Securities Holdings Inc. is a Delaware corporation with its headquarters and
15 principal place of business located at 407 SE 1st Street, Delray Beach, FL 33483. VCG Securities
16 Holdings Inc. conducts its business activities from its principal place of business in Delray Beach,
17 FL.

18
19 I declare under penalty of perjury under the laws of the United States that the foregoing is
20 true and correct.

21 **EXECUTED** on this 21st day of September 2020 at Delray Beach, Florida.

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23
24 
25 _____
26 DONALD UDERITZ